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December 27, 2005

Attorney Scott A. Lathrop
122 Old Ayer Road
Groton, Massachusetts 01450

RE: Steven Keefe v. Local 805, International Longshoreman, et al
United States District Court of Massachusetts
Civil Action No. 04-CV-11340-DPW

Dear Attorney Lathrop:

This will acknowledge receipt of service of the Deposition Subpoenas Duces Tecum issued to Mssrs. Joseph Picard and Paul McGaffigan. As discussed, I was glad to accept service on their behalf.

Pursuant to, and in accordance with, Rule 45(c)(2)(B) of the Federal Rules of Civil Procedure, this letter will serve as my written objection to the inspection, copying, and/or production of the designated documents as set out in the corresponding Notices of Taking Deposition. In this regard, I am presuming that those Notices are de facto Schedules of documents requested, as contemplated by 45(a)(2).

Specifically, but without limitation, the Deponents object to the inspection, copying, and/or production of the requested documents on the grounds that the requests as drafted are overly broad and impermissibly vague, and thus not reasonable calculated to lead to the discovery of admissible evidence. Moreover, several of the requested documents are beyond the scope of permissible discovery under statutory privileges.

Accordingly, while the Deponents are amenable to appearing and testifying on the noticed date, they will not be voluntarily producing any of the requested documents. If you chose to bring a motion to compel the production of these documents, as contemplated by Rule 45(c)(2)(B), I respectfully request that the depositions be put over indefinitely until the resolution of the motion.

Should you have any questions or concerns, please do not hesitate to contact the office.

Thank you for your anticipated cooperation.

Very truly yours,

Edward J. McNelley

cc: Michael L. Mahoney, Esq.
Michael T. Lennon, Esq.
Mr. Joseph Picard
Mr. Paul McGaffigan

Steven Keele v. Local 803, International Longshoremen, et al
United States District Court of Massachusetts
Civil Action No. 04-CV-11340-DPW

Dear Mr. Mahoney:

This letter is in response to your letter of service of the Deposition Subpoena dated January 10, 2005, to Edward J. McNelley. As discussed, I was glad to accept service on this matter.

As a result of my review of the subpoena, I have determined that the subpoena is proper and that I will comply with the subpoena. I have determined that the subpoena is proper and that I will comply with the subpoena. I have determined that the subpoena is proper and that I will comply with the subpoena.

Very truly yours,

Edward J. McNelley

Accordingly, while the Deposition is ongoing and testifying on the record, I will not be voluntarily producing any of the requested documents. If you choose to bring a motion to compel the production of these documents, as contemplated by Rule 45(c)(2)(B), I respectfully request that the deposition be put over until after the resolution of the motion.